

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of Fred R. Frankel et al. : Group Art Unit: Not Yet Assigned
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Appln. No.: Not Yet Assigned : Examiner: Not Yet Assigned
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Filed: Herewith : Attorney Docket
For: IMMUNOGENIC COMPOSITIONS COMPRISING DAL/DAT : No. 057907-5003-03
DOUBLE MUTANT, AUXOTROPHIC ATTENUATED :
STRAINS OF LISTERIA AND THEIR METHODS OF USE :

INFORMATION DISCLOSURE STATEMENT

It is requested that the references listed on the attached Information Disclosure Citation Form PTO-1449 be considered by the Patent Examiner in connection with the above-identified application and be made of record therein.

Copies of the references were previously cited by and/or submitted to the U.S. Patent and Trademark Office in related Application No. 10/136,253, filed May 1, 2002 now allowed (the "prior application"), Application No. 09/520,207, filed March 7, 2000, now issued as Patent No. 6,504,020 and Application No. 08/972,902, filed November 18, 1997, now Patent No. 6,099,848. The present application relies, under 35 U.S.C. § 120, on the filing date of the prior applications. Therefore, under 37 C.F.R. § 1.98(d), copies of the references are not enclosed.

Independent consideration and acknowledgment of the listed reference(s) is respectfully requested.

Respectfully submitted,

FRED R. FRANKEL ET AL.

SEPTEMBER 11, 2003
(Date)

By:

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Enclosure

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	Not Yet Assigned
				Filing Date	Herewith
				First Named Inventor	Fred R. Frankel et al.
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	057907-5003-03

U.S. PATENT DOCUMENTS				
Exr Initials	U.S. Patent Document		Name of Inventor or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Number	Kind Code (if known)		
	5,830,702		Portnoy et al.	11-03-1998
	5,610,012		Luchansky et al.	03-1997
	6,358,714		Fotheringham et al.	03-2002

FOREIGN PATENT DOCUMENTS					
Exr Initials	Foreign Patent Document			Name of Inventor or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Country Code	Number	Kind Code (if known)		
	WO	93/15212			08-1993

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Exr Initials	Include Name of Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			
	ALEXANDER et al., 1993, Infection Immunity 61:2245-2248			
	BOUWER et al., 1996, Infect.Immun. 64:2515-2522			
	BRETT et al., 1993, J.Immunol. 150:2869-2884			
	CAMILLI et al., 1993, Mol.Microiol. 8:143-157			
	COLLINS et al., 1984, Proc.Natl.Acad.Sci. USA 81:6812-6816			
	COYNAULT et al., 1996, Mol.Microbiol. 22:149-160			
	DONS et al., 1992, Mol.Microbiol. 6:2919-2929			
	EMOND et al., 1993, App.Enviroin.Microbiol. 59:2690-2697			
	FERRARI et al., 1985, Bio/technology 3:1003-1007			
	FOUTS et al., 1995, Vaccine 13:1697-1705			
	FRANKEL et al., 1995, J.Immunol. 155:4775-4782			
	GALAKATOS et al., 1986, Biochemistry 25:3255-3260			
	GOOSSENS et al., 1995, Int.Immunol. 7:797-802			
	GRAHAM et al., 1995, New England Journal of Medicine 333:1331-1339			
	HARTY et al., 1992, J.Exp.Med. 175:1531-1538			
	HAYNES et al., 1996, Annals. of Medicine 28:39-41			
	HAYNES et al., 1993, Science 260:1279-1286			
	IKONOMIDIS et al., 1997, Vaccine 15:433-440			
	INNIS et al., ed., 1990, In: PCR Protocols, Academic Press, Inc., San Diego - too voluminous to submit.			
	KAUFMANN, 1993, Ann.Rev.Immunol. 11:129-163			
	LEBOCKA et al., 1994, J.Bacteriol. 776(5):1500-1510			
	MARQUIS et al., 1993, Infection and Immunity 61:3756-3760			

Examiner Signature	1-PH/1878249.1	Date Considered	
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Substitute for form 1449A/PTO				Complete if Known	
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FOREIGN PATENT DOCUMENTS						
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	Country Code	Number	Kind Code (if known)			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Exr Initials	Include Name of Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ₁
	NORIEGA et al., 1996, Infect.Immun. 64:3055-3061			
	Ogasawara Database EMBL, Oct. 13, 1997, "Bacillus subtilis Genome Sequence"			
	PAMER et al., 1991, Nature 353:852-855			
	PAN et al., 1995, Nat.Med. 1:471-477			
	PATERSON et al., 1996, Curr.Opin.Immunol. 8:664-669			
	PORTNOY et al., 1992, Infect. and Immun. 60:1263-1267			
	PUCCI et al., 1995, J.Bacteriol. 177:336-342			
	RUBIN et al., 1993, Proc.Natl.Acad.Sci. USA 90:9280-9284			
	SAMBROOK et al., 1989, In: Molecular Cloning: A Laboratory manual, Cold Spring Harbor Laboratory, New York - (too voluminous to submit)			
	SCHAFER et al., 1992, J.Immunol. 149:53-59			
	SHAW AND CLEWELL, 1985, J.Bacteriol. 164:782-796			
	SHEN et al., 1995, Proc.Natl.Acad.Sci. USA 92:3987-3991			
	SIZEMORE et al., 1995, Science 270:299-302			
	SMITH et al., 1992, Biochimie 74:705-711			
	TANAKA, Oct. 7, 1997, Database EMBL, "DNA sequence coding D-amino transaminase"			
	TANIZAWA et al., 1989, J.Biol.Chem. 264:2450-2454			
	TANIZAWA et al., 1988, Biochemistry 27:1311-1316			
	THOMPSON et al., 1998 Infection and Immunity 66:3552-3561			
	TILNEY et al., 1989, J.Cell Biol. 109:1597-1608			
	TRIGLIA et al., 1988, Nucl.Acids Res. 16:8186			
	WASSERMAN et al., 1984, Biochemistry 23:5182-5187			
	WIPKE et al., 1993, Eur.J.Immunol. 23:2005-2010			

Examiner Signature	1-PH/1878347.1	Date Considered	
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